

REMARKS

In the Office Action, claims 8 and 9 were rejected under 35 USC §112, second paragraph. Claims 8 and 9 were rejected under 35 USC §103(a) as being unpatentable over Dobreski in view of Paxton.

In response to the informalities noted by the Examiner, claims 8 and 9 have been amended and Figure 2 has been amended to be consistent Figure 1.

Applicant would like to thank Examiner Tawfik for the consideration given applicant's attorney during the telephone interview of June 25, 2003. After reviewing a set of proposed amended claims with the Examiner, the Examiner indicated that the nature of the amendments were considered to require further consideration on the merits. Accordingly, this request for continued examination has been filed so as to provide the Examiner an opportunity to consider the enclosed amendments on their merits. The enclosed amendments differ from the amendments discussed with the Examiner on June 25, 2003, in that the amendments now specifically state that the cursor of one bag while being positioned at a different distance from one end of the plurality of bags with each cursor being offset from an adjacent cursor, each cursor also contacts the uppermost edge of at least one of the two closure strips of an adjacent bag.

The Examiner has implicitly acknowledged by the combination of two references in the prior rejection of the claims that the patent to Dobreski fails to disclose the claimed subject

matter. Specifically, with reference to Figure 3 of the Dobreski patent, all of the cursors are stacked in piles at opposite ends of the bags. To provide a teaching of the spaced positioning of the cursors as is shown in Figures 2, 3 and 4 of the captioned application, the Examiner makes reference to the Paxton patent in combination with the Dobreski patent. However, the Paxton patent fails to disclose the arrangement and the advantages of the present invention. As shown in Figure 1 of the Dobreski patent, all of the closures 15 are aligned in a row within the confines, that is spaced between the two side edges and the top and bottom edges of the plurality of bags 11. Therefore, continued stacking of bags 11 will result in an enlarged area at the position of the closures 15.

In contrast, by the present invention, by locating the cursors at the top of the bags so that the cursors slide along the uppermost edge of the bags with the cursor of one bag contacting the uppermost edge of at least one of the two closure strips in an adjacent bag, it is seen that the cursor projects beyond the uppermost edge of the bag and thus minimizes the amount of space taken up within the confines of the edges of the bag. Therefore, the present invention as now defined in claims 8 and 9 should be patentably distinguished over the combination of Dobreski and Paxton.

Accordingly, it is respectfully submitted that the application is now in condition for allowance.

Based on the foregoing amendments and remarks, it is respectfully submitted that the claims in the present application, as they now stand, patentably distinguish over the references cited and applied by the Examiner and are, therefore, in condition for allowance. A Notice of Allowance is in order, and such favorable action and reconsideration are respectfully requested.

However, if after reviewing the above amendments and remarks, the Examiner has any questions or comments, he is cordially invited to contact the undersigned attorneys.

Respectfully submitted,

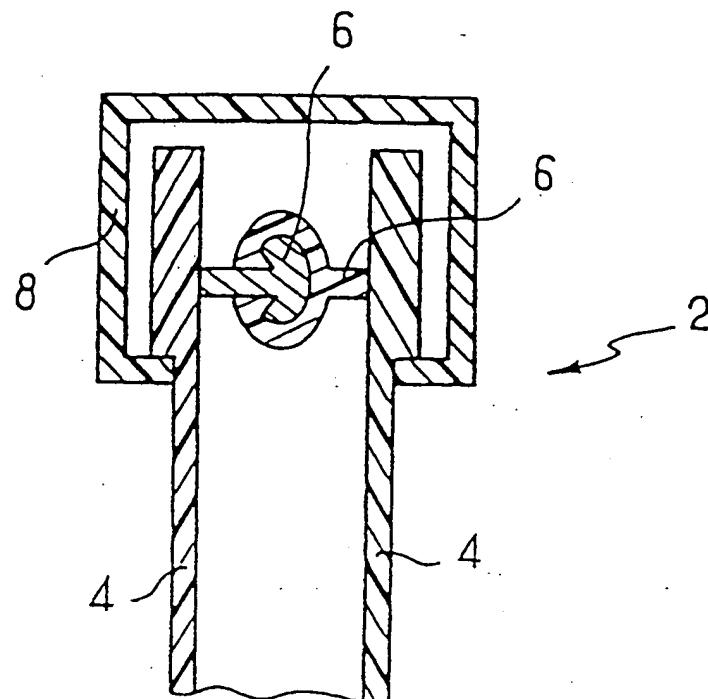
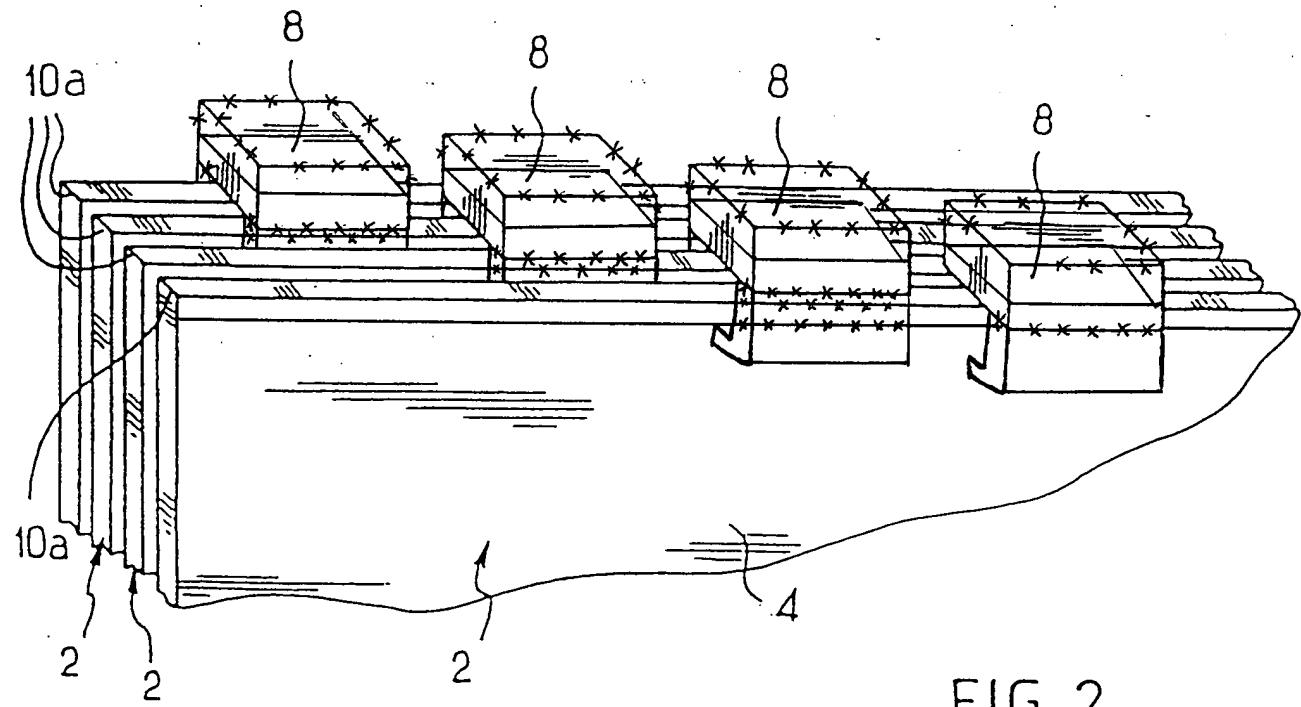
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ANNOTATED SHEET SHOWING  
CHANGES

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FIG. 1FIG. 2